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March 26, 2008

Via Fax: (212) 805-7920 and ECF

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CHAMBERS

MAR 26 2008

JUDGE SCHEINDLIN

The Honorable Judge Shira A. Scheindlin  
United States District Judge  
Southern District of New York  
United States Courthouse  
Room 1620  
500 Pearl Street  
New York, New York 10007

Re. Merchant Cash & Capital, LLC et al.  
07 CV 10345 (SAS) (AJP)  
Our File: D735

Dear Judge Scheindlin:

I represent the plaintiff and I write on behalf of both the plaintiff and the defendant to jointly request a two week adjournment of the scheduling order.

The new dates would be as follows:

	<u>Current</u>	<u>Proposed</u>
Plaintiff's Deposition	By 3/31/08	By 4/15/08
Defendant's Deposition	By 4/15/08	By 4/30/08
Initial Discovery	Completed	
Discovery Demand	Completed	
Expert Reports	By 6/30/08	By 7/14/08
Expert Depositions	By 7/30/08	By 8/13/08
Completion of Discovery	By 8/15/08	By 8/29/08
Completion of Non-Expert Discovery	By 5/30/08	By 6/11/08
Final Pretrial Conference	6/16/08 at 4:30 p.m.	6/30/08 at 4:30 p.m.

The parties are discussing settlement and would like to complete their discussions before starting depositions.

*Request granted. The new dates set forth above are approved. No further adjournment will be granted. SO Ordered. JSA*

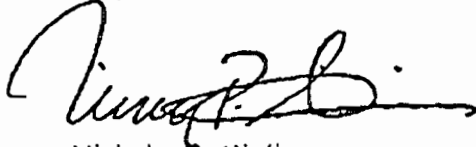
*USDJ  
3/26/08*

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The defendant consents to and joins in this request.

No prior application has been made for the relief requested herein.

Very truly yours,

A handwritten signature in black ink, appearing to read "Nicholas P. Giuliano", with a stylized flourish at the end.

Nicholas P. Giuliano

/bm

cc: Via Fax: (212) 805-7933  
Magistrate Judge Andrew J. Peck

Via Fax: (212) 949-7052  
Susan M. Smith, Esq.